

ORIGINAL



BEFORE THE ARIZONA CORPORATION

COMMISSIONERS

2005 NOV -9 P 2:23

JEFF HATCH-MILLER, Chairman  
WILLIAM A. MUNDELL  
MARC SPITZER  
MIKE GLEASON  
KRISTIN K. MAYES

AZ CORP COMMISSION  
DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION OF  
WHY UTILITY COMPANY, INC. FOR A RATE  
INCREASE.

DOCKET NO. W-02052A-05-0529

IN THE MATTER OF THE APPLICATION OF  
WHY UTILITY COMPANY, INC. FOR  
APPROVAL OF FINANCING.

DOCKET NO. W-02052A-05-0528

PROCEDURAL ORDER

BY THE COMMISSION:

On July 22, 2005, Why Utility Company ("Why" or "Company") filed with the Arizona Corporation Commission ("Commission") an application for approval of financing to fund the purchase and/or construction of arsenic removal equipment, and an application for a rate increase.

On October 7, 2005, Commission Utilities Division Staff ("Staff") notified the Company that its rate application was sufficient, and classified the Company as a Class E utility.<sup>1</sup>

On October 13, 2005, Staff filed a Motion to Consolidate the two applications.

The two matters are substantially related and the outcome of one is dependent on the other. Administrative efficiency is enhanced through consolidation.

IT IS THEREFORE ORDERED that Dockets Nos. W-02052A-05-0528 and W-02052A-05-0529 shall be consolidated.

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<sup>1</sup> On September 26, 2005, Staff had notified the Company that its rate application was insufficient.

1 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive  
2 any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

3 DATED this 8<sup>th</sup> day of November, 2005.

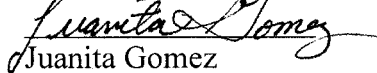
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7 JANE L. RODDA  
8 ADMINISTRATIVE LAW JUDGE

9 Copies of the foregoing mailed  
10 this 8<sup>th</sup> day of November, 2005 to:

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23 By:   
24 Juanita Gomez  
25 Secretary to Jane L. Rodda  
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